

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<p>IN RE: Helen M. Shiffler Debtor</p> <p>The Bank of New York Mellon FKA The Bank of New York, As Trustee for the Benefit of The Certificateholders of The CWABS Inc., Asset-Backed Certificates, Series 2007-SD1 Movant</p> <p>vs.</p> <p>Helen M. Shiffler Kenneth E. West, Trustee Respondents</p>	<p>BK NO. 23-10625 MDC</p> <p>Chapter 13</p> <p>Hearing Date: 01/25/24</p>
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OBJECTION OF THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2007-SD1 TO CONFIRMATION OF CHAPTER 13 PLAN

The Bank of New York Mellon FKA The Bank Of New York, As Trustee for the Benefit Of The Certificateholders of The CWABS Inc., Asset-Backed Certificates, Series 2007-SD1 (hereinafter Secured Creditor), objects to confirmation of Debtor's Chapter 13 Plan and asserts in support of its Objection as follows:

1. On May 12, 2023, Secured Creditor filed a secured proof of claim setting forth pre-petition arrears in the amount of \$113,992.70.
2. On December 18, 2023, Debtor filed a Third Amended Chapter 13 Plan (the "Plan"). Debtor's Plan provides for payment in the amount of \$0.00 towards the arrearage claim of the Secured Creditor.
3. Debtor's Plan understates the amount of the Secured Creditor's claim by \$113,992.70 and does not provide sufficient funding to pay said claim including present value interest.
4. Debtor's Plan proposes to cure Movant's prepetition arrears through a loan modification, and Movant acknowledges that Debtor has been offered a Trial Loan Modification.
5. Movant files the within objection to preserve its right to object to the Plan's treatment of Movant's prepetition arrears in the event that Debtor's attempt to obtain a permanent loan modification is unsuccessful.
6. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Secured Creditor.

7. In addition, the Debtor's Plan fails to comply with 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, the Secured Creditor, The Bank of New York Mellon FKA The Bank of New York, As Trustee for the Benefit of The Certificateholders of The CWABS Inc., Asset-Backed Certificates, Series 2007-SD1, prays that the Court deny confirmation of the Debtor's Plan.

Respectfully submitted,

Date: January 16, 2024

By: /s/Denise Carlon

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